UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1993/NGO/7
19 January 1993

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Item 10 of the provisional agenda

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Written statement submitted by the International Federation Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[11 January 1993]

1. Torture and cruel, inhuman or degrading treatment are more and more frequently affecting entire groups en masse and no longer just specifically targeted individuals. The victim of torture is becoming more and more often "collective".

2. The International Federation Action of Christians for the Abolition of Torture, which currently combines 22 associations or groups in course of formation on the African, Asian, American and European continents, has recorded and reports a clear increase in the "collective" use of the practice of torture. Torture has long, unfortunately, been used to terrorize peoples and keep them subjected to an unlawful power. Nowadays, it is being used for the mass elimination of entire social groups which are regarded as undesirable social entities.

3. During 1992, the affiliated associations have had to approach the authorities of 100 countries to report manifest violations of article 5 of the Universal Declaration on Human Rights. These approaches concerned 2,825 individually identified persons.

4. What is more, the affiliated associations had to intervene in the case of 57 countries to report prohibited treatment of groups of several hundreds of people. In these cases, the victims were targeted not because of their personal behaviour but because they belonged to a group or category, whether social, ethnic, sexual, racial or religious.

5. A number of serious situations were noted: ethnic cleansing actions, torture and massacre of religious minorities, persecution of indigenous populations, systematic rape of women belonging to certain social communities, racial segregation practices culminating in unpunished torture or murder, and discriminatory propaganda against and incitement to hatred of certain social groups.

6. All too often, the national political authorities have stated that they deplored such behaviour which, they asserted, originated from allegedly uncontrolled groups or resulted from the compulsive reactions of exasperated social groups. Such statements are often utterly contrary to the truth and the complicity of political leaders is frequently evident. Even if this were not so, such reasoning has no credibility in the eyes of world public opinion. It is the duty of the authorities, by reason of the function and mission which legitimizes the exercise of their power, to stop such practices, to carry out preventive action and to punish those responsible for acts of torture.

7. No political, religious, social or ethnic justification can be accepted to minimize the responsibility of the State authorities and prevent the punishment of the perpetrators of inhuman treatment. The International Federation Action of Christians for the Abolition of Torture thus calls upon the States Members of the United Nations to:

(a) Ratify in toto (if they have not already done so) the Convention against Torture adopted on 10 December 1984 by the United Nations General Assembly;

(b) Remind law enforcement officials in particular that "no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture" (article 2, paragraph 2 of the Convention);

(c) Ensure that "education and information regarding the prohibition against torture are fully included in the training (article 10, paragraph 1 of the Convention);

(d) See to it that those responsible for acts of torture or cruel, inhuman or degrading treatment or punishment are judged by the competent judicial authorities;

(e) Develop, through civic instruction programmes, a rejection of any discriminatory assessment of one or other social group, in accordance with the instruments adopted by the United Nations; and

(f) In this International Year for the World's Indigenous People, ensure the protection and development of such peoples by both security measures and a programme of economic and cultural development.

8. In addition, the International Federation invites the members of the Commission on Human Rights to take note of the report of the Working Group established by resolution 43/92 to prepare a draft optional protocol to the Convention against Torture (E/CN.4/1993/23) on the work of its 1st meeting, to renew its confidence in the said Group and to encourage it to continue its work.

9. Lastly, the International Federation invites all States Members of the United Nations to ensure the success of the World Conference on Human Rights to be held at Vienna from 14 to 25 June 1993 by encouraging cooperation between the representatives of States and those of the non-governmental organizations and by considering measures which would enable the United Nations to strengthen effective respect for the international instruments on the prohibition against torture and cruel, inhuman or degrading treatment or punishment.